

## RULE 444

### Open Fires

- (a) A person shall not burn or allow the burning of combustible materials in an open outdoor fire within the District without first obtaining a written permit, as required by Rule 208, for such burning from the Executive Officer and, when required, from the local fire protection agency. A burning permit may be granted only:
- (1) Where a fire hazard, to life or property, is declared by the local fire protection agency and such fire hazard cannot be abated by any other means, or
  - (2) For agricultural burning as defined in Rule 102, Definition of Terms, or
  - (3) For the purpose of disposing of Russian thistle (*Salsola kali*), or
  - (4) For the burning of dry cotton gin waste infected with an agricultural pest hazardous to nearby agricultural operations and upon order of the County Agricultural Commissioner, or
  - (5) For the burning of infectious waste other than hospital waste upon order of the County Health Officer to abate a public health hazard.
- (b) Notwithstanding the provisions of subsection (a), a person may burn or allow the burning of combustible materials in an open outdoor fire for any of the following purposes, provided such fire is set by, under the jurisdiction of, or pursuant to the requirements of, a fire protection agency:
- (1) For the instruction of public or industrial employees in the methods of fighting fires, or
  - (2) For the purpose of removing forest debris as a part of a forest management or wildlife or game habitat improvement, or
  - (3) Backfires necessary to save life or valuable property pursuant to Section 4462 of the Public Resources Code.
  - (4) Wildland vegetation management burning as defined, Title 17, California Administrative Code, Section 80100.
- (c) The Executive Officer shall be notified prior to burning conducted under the provisions of subsections (b)(1) or (b)(2).

- (d) Open burning pursuant to subsections (a), (b)(1), or (b)(2) is not allowed when prohibited by Regulation VII or in any Geographical Area of the District when the Executive Officer prohibits open burning in that Area due to adverse meteorological conditions determined pursuant to section (f), except as provided in section (e).
- (e) Open burning pursuant to subsection (b)(1) is allowed in a geographical area of the District where open burning would otherwise be prohibited due to adverse meteorological conditions determined pursuant to subsection (f), provided such burning is for training fires of 30 minutes duration each or less using as fuel only clean, not waste, liquified petroleum gas or a petroleum liquid having an API gravity of at least 30.
- (f) The Executive Officer shall, for each Geographical Area, determine meteorological conditions which will cause open burning to have an adverse effect on the ambient air quality in that Area. A list of the geographical areas and specific meteorological conditions for each Area shall be maintained at the District Headquarters and shall be available to the public.
- (g) The provisions of this rule shall not apply to recreational fires, ceremonial fires, cooking fires, or open fires on islands located 15 miles or more from the mainland coast.
- (h) Wildland Vegetation Management Burning
  - (1) Wildland vegetation management burning shall not be conducted until an implementation plan is approved by the Executive Officer. Such plan shall:
    - (A) Apply to all burning which meets the definition of wildland vegetation management burning, regardless of whether such burning also meets another definition in Title 17, Section 80100 of The California Administrative Code.
    - (B) Limit the ignition of fires to approved devices.
    - (C) Regulate the total acreage or tonnage of vegetation that may be burned each day within the District.
    - (D) Regulate burning or require mitigation when the meteorological conditions could otherwise cause smoke to create or contribute to an exceedance of a state or federal ambient air quality standard or cause a public nuisance.
    - (E) Require the vegetation to be burned to be free of tires, rubbish, tar paper or construction debris, and reasonably free of dirt or soil.

- (F) Require the vegetation to be in a condition which will facilitate combustion and minimize the amount of smoke emitted during combustion.
- (G) For projects exceeding a predetermined size or tonnage threshold level, or for projects situated in zones specified by the District, the following information shall be provided to the District for review and approval in advance of the proposed burning:
  - (i) location and specific objectives of the burn project;
  - (ii) acreage or tonnage, type, and arrangement of vegetation to be burned;
  - (iii) directions and distances to nearby sensitive receptor areas;
  - (iv) fuel condition, combustion, and meteorological prescription elements developed for the project;
  - (v) projected schedule and duration of project ignition, combustion, and burndown;
  - (vi) specifications for monitoring and verifying critical project parameters; and
  - (vii) specifications for disseminating project information.

[SIP: Submitted as amended 10/2/87 on 3/23/88; Approved 7/6/82, 47 FR 29231, 40 CFR 52.220(c)(104)(ii)(A); Disapproved, prior rules 57.1, 57.2, 57.3 and 57.4 retained 1/24/81, 46 FR 3883, 40 CFR 52.273(b)(7)(i); Approved 9/8/78, 43 FR 40011, 40 CFR 52.220(c)(39)(iii)(C)]

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